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NEWS RELEASE

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Court of Appeals Mourns Passing of Retired Judge William A. Norris

SAN FRANCISCO – Judges of the United States Court of Appeals for the Ninth Circuit were saddened to learn of the recent passing of an esteemed former colleague. William A. Norris, a renowned attorney and retired Ninth Circuit judge, died Saturday, January 21, 2017, at age 89. He passed away peacefully at home with family members at his bedside.

Judge Norris was nominated to the Ninth Circuit by President Carter, and received his commission on June 18, 1980. He assumed senior status on July 7, 1994, and retired from the bench on October 24, 1997.

“Although he retired from the court almost 20 years ago, I and many of my colleagues had the pleasure and privilege of serving with Bill, and kept in touch with him over the years,” said Ninth Circuit Chief Judge Sidney R. Thomas of Billings, Montana. “He had a truly remarkable career, both as a lawyer and as a judge and we are deeply saddened by his passing.”

Chief Judges Emeriti Mary M. Schroder of Phoenix and Alex Kozinski of Pasadena, California, recalled a brilliant jurist dedicated to the law and his community.

“Bill Norris had a lightening quick mind, a flair for style, and a genuine love of the law,” observed Judge Schroeder, who was appointed in 1979. “He made many contributions to our jurisprudence when he was our colleague and never stopped making contributions to his community after he decided to follow other paths. He will not be forgotten.”

“Judge Norris was a brilliant colleague and a good friend,” said Judge Kozinski, who came onto the Ninth Circuit bench in 1980. “His commitment to the cause of individual liberty was unwavering.”

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“Judge Norris and I came onto the court about the same time and were new judges together,” said Judge Dorothy W. Nelson, also of Pasadena. “I benefitted greatly from the opportunity to discuss issues with one who balanced brilliance with empathy and compassion. He will be sorely missed.”

During 17 years on the Ninth Circuit bench, Judge Norris authored some 400 opinions covering a wide variety of legal issues. Particularly noteworthy was his opinion in Watkins v. United States Army, 847 F.2d 1329 (9th Cir. 1988), which held that Army regulations prohibiting gays from service was unconstitutional. Senior Circuit Judge Raymond C. Fisher called the Watkins opinion “visionary,” noting that Judge Norris’ ruling was ultimately vindicated 27 year later by the U.S. Supreme Court in Obergefell v. Hodges, 135 S. Ct. 2584 (2015).

“He had a remarkable career as a lawyer and civic and political activist who worked tirelessly for civil rights and liberties,” said Judge Fisher, who was mentored by Judge Norris while both were lawyers at the firm of Tuttle and Taylor. “As a judge, he gave up those activities but not his concern for justice and the rule of law.”

Other of Judge Norris’ notable opinions include:

- Hollinger v. Titan Capital Corp., 914 F.2d 1564 (9th Cir. 1990) (en banc), certiorari denied, 499 U.S. 976 (1991), a securities-related case involving the liability of a firm for the fraudulent activities of its representative;
- Paulsen v. Commissioner of Internal Revenue, 716 F.2d 563 (9th Cir. 1983), affirmed, 469 U.S. 131 (1985), involving a question of tax liability for gains received in a stock exchange;
- Columbia Steel Casting Co., Inc. v. Portland General Electric Corp., 111 F.3d 1427 (9th Cir. 1997) certiorari denied, 523 U.S. 1112 (1998), an antitrust action involving the use of exclusive service territories by energy providers;
- Washington Public Power Supply System Securities Litigation, 19 F.3d 1291 (9th Cir. 1994), certiorari denied, 506 U.S. 953 (1992), a class-action lawsuit stemming from the failure of two nuclear power plant projects.;
- San Francisco County Democratic Central Committee v. EU, 826 F.2d 814 (9th Cir. 1987), affirmed, 489 U.S. 214 (1989), a First Amendment case in which the court struck down part of a California election law prohibiting candidate endorsements by political parties; and

- Newton v. NBC, 930 F.2d 662 (9th Cir. 1990), certiorari denied, 502 U.S. 866 (1991), in which the court rejected libel claims stemming from a network TV news report of entertainer Wayne Newton's alleged ties to Mafia figures.

Upon leaving the bench, Judge Norris continued to practice law in Los Angeles, initially as a partner at Folger Levin & Kahn LLP, from 1997 to 2000, then as senior counsel at Akin Gump Strauss Hauer and Feld LLP, from 2000 to 2014, when he retired.

Judge Norris spoke proudly to colleagues about having been born and raised in the small town of Turtle Creek, Pennsylvania. While in high school, he worked as reporter for the Turtle Creek Independent, a weekly newspaper managed by his father. He served in the Navy from 1945 to 1947, then used his GI Bill benefits to enroll in Princeton University, where he majored in the Woodrow Wilson School of Public and International Affairs. He received his B.A. in 1951, graduating Phi Beta Kappa. Judge Norris went on to attend Stanford Law School on scholarship and served as executive editor of the Stanford Law Review. He received his J.D. in 1954, graduating Order of the Coif.

After law school, Judge Norris served as a law clerk to U.S. Supreme Court Justice William O. Douglas from 1955 to 1956. He began practicing law in 1956 with Tuttle and Taylor in Los Angeles. He remained with the firm until his appointment to the Ninth Circuit in 1980.

While in private practice, Judge Norris was active in politics and civic affairs. Appointed by Governor Edmund G. "Pat" Brown, he served as a member of the California Board of Education, from 1961 to 1966, and as a member of the Board of Trustees of the California State Colleges, from 1966 to 1972. Appointed by Mayor Tom Bradley, he served as president of the Los Angeles Police Commission, from 1973 to 1974, and chaired Mayor Bradley's Advisory Committee on the Format of a Museum of Modern Art, which evolved into the Museum of Contemporary Art. He also served as the founding president of museum's board of directors from 1980 to 1992.

In 1974, Judge Norris sought the office of California attorney general. He won the Democratic Party primary but was defeated in the general election by the Republican incumbent, Evelle J. Younger. Judge Norris was a delegate to the Democratic National Conventions in 1964, 1968, 1972, and 1976, serving as a member on the Rules Committee in 1968.

Other civic contributions include service as chairman of the Los Angeles County Bar Association Committee on Juvenile Justice; as a director of the Constitutional Rights Foundation; and two stints as a member of the Stanford Law School Board of Visitors, chairing the board from 1986 to 1987.

Judge Norris recently completed an autobiography, "Liberal Opinions: My Life in the Stream of History," which was published last year by Quid Pro Books.

Judge Norris is survived by his wife of 27 years, Jane Jelenko; a son, Don Norris, and three daughters, Barbara, Kim and Alison Norris; a stepson, David Jelenko, and his wife, Karina; and two grandchildren, Nathan and Semantha Norris.

Plans are being made for a celebration of Judge Norris' life in February. In lieu of flowers, the family suggests donations be made to the "William Norris Public Service Fellowship Fund" at Stanford University, which will help provide financial aid to Stanford Law School students. Checks should note "For the William Norris Public Service Fellowship Fund" and should be sent to:

Stanford Law School
Attn: Allison Fry
Crown Quadrangle
559 Nathan Abbott Way
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